

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION**

In re:

Case No. 6:15-bk-01313-CCJ  
Chapter 13

SANDRA ELIZABETH HAWTHORNE

Debtor(s)

\_\_\_\_\_ /

**RESPONSE NOTICE OF INTENTION TO SELL PROPERTY OF THE ESTATE**

Creditor, DITECH FINANCIAL LLC, (hereinafter, "Creditor") by and through its undersigned attorney, hereby files this Response to Motion for Order Approving Sale (DE #76) ("Motion") and states:

1. Creditor holds a security instrument of Debtor's real property located at 415 ELM DR, CASSELBERRY, FL 32707-5012.
2. The mortgage was recorded at Book 03960 Page 473 of the official records of SEMINOLE County.
3. The Notice further fails to provide for payment to the Creditor's superior mortgage interest from the proceeds of the proposed sale. Creditor is entitled to payment from disposition of this property until its claim is paid in full at which point the funds may be distributed to any junior interests including that of the estate.
4. Creditor objects to the sale unless the Order granting the Motion concurrently provides:
  - a. Any money realized from a sale of the subject property will be paid to Creditor in full ahead of other unsecured creditors, upon filing a timely Claim.
  - b. The buyer is required to pay property taxes, hazard insurance, and/or homeowner/condo association fees.

- c. The Order specifies that Creditor still remains to be a mortgagee to the property.
  - d. The buyer is required to pay for doc stamps.
  - e. The sale is subject a complete payoff. Any short sale is subject to Creditor's approval.
5. Creditor does not object to the proposed sale if the above conditions are met.
6. Creditor reserves the right to supplement this Response.

Date: October 26, 2017

/s/ Stefan Beuge, Esquire

Stefan Beuge, Esq., Florida Bar No. 68234  
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**PROOF OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing, and any applicable exhibits attached thereto, has been served electronically, or routed for service by U.S.

Mail, to the following:

SANDRA ELIZABETH HAWTHORNE  
260 MOCKINGBIRD LANE  
CASSELBERRY, FL 32707

ERIK J WASHINGTON  
THE WASHINGTON LAW FIRM, P.A.  
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ORLANDO, FL 32803

LAURIE K WEATHERFORD  
POST OFFICE BOX 3450  
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UNITED STATES TRUSTEE (SERVED ELECTRONICALLY)  
OFFICE OF THE UNITED STATES TRUSTEE  
GEORGE C. YOUNG FEDERAL BUILDING  
400 WEST WASHINGTON STREET, SUITE 1100  
ORLANDO, FLORIDA 32801

Date: October 31, 2017

/s/ Stefan Beuge, Esquire  
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